

NOV 02 2004

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PATENT APPLICATION

By:

Brant T. Maurer
Brant T. MaurerDate: November 2, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: 3671

EXAMINER: ARPAD F. KOVACS

In re application of: James R. Schmidt)
and Jonathan E. Ricketts)

Application No: 10/731,664)

Filed: December 9, 2003)

Confirmation No. 6364)

Attorney Docket No.: 17238)

For: ROTARY ACCELERATING
APPARATUS FOR A VERTICAL
STRAW AND CHAFF SPREADER
OF AN AGRICULTURAL
COMBINECommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 2, 2004

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action mailed July 13, 2004, entry of the following Remarks

11/23/2004 EKEY11 00000019 031025 10731664

01 FC:1251 and reconsideration of the claims in light thereof, is respectfully requested.

The U.S. Patent and Trademark Office ("USPTO") is authorized to charge \$110.00, for extension for response within the first month, and any additional fee required to secure entry of this Response to Office Action, or to credit any overpayment, to Deposit Account No. 03-1025.

Application No. 10/731,664

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November 2, 2004

Reply to Office Action mailed July 13, 2004

In summary, and in light of the Applicants' October 27, 2004 telephone conversation with Examiner Kovacs, it is agreed upon that original Claims 1-13 are patentable and in condition for allowance as being distinguishable over the '035 Patent. Therefore, favorable reconsideration of the application is respectfully requested. Should the Examiner believe that the prosecution of the application could be so expedited, he is requested to call Applicants' undersigned Attorney at the number listed below.

Respectfully submitted:

BY Brant T. Maurer

Brant T. Maurer
Attorney for Applicants
Registration No. 53,285

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 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$110.00

Complete if Known

Application Number 10/731,664
 Filing Date December 9, 2003
 First Named Inventor James R. Schmidt
 Examiner Name Arpad F. Kovacs
 Art Unit 3671
 Attorney Docket No. 17238

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 03-1025

Deposit Account Name CNH America LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fees or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-38** = 0	X	0.00
Multiple Dependent	-3** = 0	X	0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	Reissue independent claims over original patent	
1205 18	2205 9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 80	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for ex parte reexamination	
1804 920	2804 920	Requesting publication of SIR prior to Examiner action	
1805 1,840	2805 1,840	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110.00
1252 430	2252 215	Extension for reply within second month	
1253 880	2253 430	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	2807 50	Processing fee under 37 CFR § 1.17(g)	
1805 180	2805 180	Submission of Information Disclosure Statement	
8021 40	28021 40	Recording each patent assignment per property (times number of properties)	
1809 700	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 700	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	2802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name Brian T. Moser

Registration No. 53285

Complete if applicable

Telephone (651) 636-2363

Signature Brian T. Moser

Date November 2, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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